

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14932 of 2019

Arising Out of PS. Case No.-57 Year-2018 Thana- GAYA MUFASIL District- Gaya

Niranjan Kumar, Son of Daya Nand Prasad, Resident of Village- Aima Chauki, P.S. Khzarsarai, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Veer

For the Opposite Party/s : Mr. Amarendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-03-2019 Heard leaned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since 09.03.2018 in a case registered for the offences punishable under Sections 458, 382 and 411 of the Indian Penal Code.

The prosecution case as per the written report of informant, Rekha Agarwal submitted to SHO, Mufassil Police Station is to the effect that on 29.01.2018 she went to her father's house situated in Jehanabad after closing her house. On one day prior to the lodging of the F.I.R. one of her neighbours called on her mobile phone and conveyed about some creaking sound coming from her house, whereupon the informant called the police. Thereafter, the police came at her house and five persons were apprehended from the house of the informant,



including the petitioner. It is further alleged that from the apprehended accused persons some jewellery, mobile phone and arms were recovered.

It is submitted by learned counsel for the petitioner that though it is alleged that accused were apprehended with jewellery but till date no T.I. parade has been made of the recovered articles and the prosecution case does not specify which jewellery has been recovered from which apprehended accused. It is further submitted that co-accused, Niranjana Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 30.01.2019 passed in Cr. Misc. No. 3634 of 2019. A statement has been made in paragraph no. 3 of the petition that the petitioner is involved in one other case in which, he is on bail.

Learned APP for the State submits that recovery has been made from the conscious physical possession of the petitioner and he is named in the FIR.

Considering the fact that investigation has already been concluded and period under custody, coupled with the fact that the apprehended co-accused has been granted bail by a Co-ordinate Bench of this Court, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned **ACJM-VIII, Gaya** in connection with **Muffasil P.S. Case No.57 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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